

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00293-JRG
	§	(Lead Case)
SAMSUNG ELECTRONICS CO, LTD, <i>et</i>	§	
<i>al.</i>	§	
	§	
<i>Defendants.</i>	§	

NETLIST, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00294-JRG
	§	
MICRON TECHNOLOGY, INC., <i>et al.</i>	§	
	§	
<i>Defendants.</i>	§	


**ORDER GIVING NOTICE OF INTENTION
TO APPOINT A SPECIAL MASTER**

The Court issues this order *sua sponte*. There are presently *seventeen* discovery related Motions pending in this case (the “Discovery Motions”). (Dkt. Nos. 128, 139, 142, 158, 176, 193, 199, 202, 218, 219, 220, 221, 222, 223, 224, 225, and 226.) Many of these were filed at the close of fact discovery. The Court has determined that these pretrial matters cannot be effectively and timely addressed by the available judicial officers. The Court also has determined that the appointment of a Special Master pursuant to Rule 53 of the Federal Rules of Civil Procedure would serve the ends of justice in this matter and more efficiently facilitate this litigation among the parties. The Court intends retired U. S. District Judge David Folsom serve

as such Special Master, and that he conduct a hearing on the Discovery Motions (Dkt. Nos. 128, 139, 142, 158, 176, 193, 199, 202, 218, 219, 220, 221, 222, 223, 224, 225, and 226) and make recommendations to the Court, which the Court may adopt at its discretion.

Accordingly, pursuant to Federal Rule of Civil Procedure 53(b)(1), it is **ORDERED** that the parties shall have an opportunity to be heard on this matter such that any party may submit objections to such appointment extending to not more than 5 pages to be filed within 10 days hereof. A party's decision not to object shall be taken by the Court as a lack of opposition to such appointment.

So ORDERED and SIGNED this 22nd day of November, 2023.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE